

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

ELLIOT ENOKI
First Assistant U.S. Attorney

LORETTA SHEEHAN
Assistant U.S. Attorney
Room 6-100, PJKK Federal Building
300 Ala Moana Blvd.
Honolulu, Hawaii 96850
Telephone: (808) 541-2850

Attorneys for Plaintiff
UNITED STATES OF AMERICA

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JUN 06 2002
at 10 o'clock and 33 min. P.M.
WALTER A. Y. H. CHINN, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 02-00213 HG
)	
Plaintiff,)	FIRST SUPERSEDING INDICTMENT
)	
v.)	
)	
FERNHOLLON KEALOHA,	(01))	21 U.S.C. §§ 841(a)(1),
ALBERTINE GRIFFIN,	(02))	841(b)(1)(B); 841(b)(1)(C);
a.k.a. "Ala,")	846; 18 U.S.C. §§ 922(g)(1);
and)	924(e)(1); 922(g)(3)
DEROY LAVATAI	(03))	
)	
Defendants.)	
)	

FIRST SUPERSEDING INDICTMENT

COUNT 1

The Grand Jury charges:

On or about December 18, 2001, in the District of Hawaii, FERNHOLLON KEALOHA and ALBERTINE GRIFFIN, a.k.a. "Ala," knowingly and intentionally distributed in excess of five grams of methamphetamine, its salts, isomers, and salts of its isomers,

a Schedule II controlled substance.

All in violation of Title 21, United States Code,
Sections 841(a)(1) and 841(b)(1)(B).

COUNT 2

The Grand Jury further charges:

On or about January 2, 2002, in the District of Hawaii,
FERNHOLLON KEALOHA and ALBERTINE GRIFFIN, a.k.a. "Ala," knowingly
and intentionally distributed in excess of five grams of
methamphetamine, its salts, isomers, and salts of its isomers, a
Schedule II controlled substance.

All in violation of Title 21, United States Code,
Sections 841(a) and 841(b)(1)(B).

COUNT 3

The Grand Jury further charges:

On or about May 29, 2002, in the District of Hawaii,
ALBERTINE GRIFFIN, a.k.a. "Ala," a person having at least three
previous convictions for violent felonies committed at different
times, to wit:

1) Murder in the ~~First~~ Degree, a violation of Section
748-1(3) and 748-4 of the Hawaii Revised Statutes;

2) Robbery in the ~~First~~ Degree, a violation of Sections
765-1, 765-8 and 765-11 of the Hawaii Revised Statutes;

3) Burglary in the First Degree, a violation of Section 810(1)(c) of the Hawaii Penal Code; and

4) Burglary in the First Degree, a violation of Section 708-810(1)(c) of the Hawaii Revised Statutes, knowingly possessed in and affecting commerce a firearm, to wit, an Uzi, model 45, .45 caliber semiautomatic rifle, serial number 002558.

All in violation of Title 18, United States Code, Sections 922(g)(1), and 924(e)(1).

COUNT 4

The Grand Jury further charges:

On or about May 29, 2002, in the District of Hawaii, DEROY LAVATAI, then being an unlawful user of a controlled substance as defined in Title 21, United States Code, Section 802, to wit, methamphetamine, knowingly possessed in and affecting commerce a firearm, to wit, a Springfield Savage Model 187 .22 caliber semiautomatic rifle, serial number B489875.

All in violation of Title 21, United States Code, Section 922(g)(3).

COUNT 5

The Grand Jury further charges:

From a date unknown, but from at least on or about

December 18, 2001, to on or about May 29, 2002, in the District of Hawaii, the defendants, FERNHOLLON KEALOHA, ALBERTINE GRIFFIN, and DEROY LAVATAI did conspire together with one another and with others unknown, to knowingly and intentionally distribute and to possess with the intent to distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

OVERT ACTS

1. On or about December 18, 2001 ALBERTINE GRIFFIN and FERNHOLLON KEALOHA sold an undercover officer 27.5 grams of methamphetamine, its salts, isomers, and salts of its isomers.


2. On or about January 2, 2002 ALBERTINE GRIFFIN and FERNHOLLON KEALOHA sold an undercover officer 44.6 grams of methamphetamine, its salts, isomers, and salts of its isomers.

3. On or about May 29, 2002, DEROY LAVATAI agreed to supply four ounces of methamphetamine to ALBERTINE GRIFFIN.

All in violation of Title 21, United States Code,
Section 846.


DATED: June 6, 2002 at Honolulu, Hawaii.

A TRUE BILL




FOREPERSON, GRAND JURY

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii



ELLIOT ENOKI
First Assistant U.S. Attorney



LORETTA SHEEHAN
Assistant U.S. Attorney

United States v. Fernhollon Kealoha et al.
First Superseding Indictment
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